CITY REAL ESTATE FOR SALE. SSORTMENT ATTRACTIVE NEW HOUSES, CHOICE locations. Owners, DUGGIN & CROSSMAN, Archit, 63 East 41st. Price list sent describing "how a thouse should be built." A TTENTION IS CALLED TO THE NEW FOUR STORY pahinet finished Houses, Nos. 3) and 32 East 68th (ox. Hill); absolutely complete in all their appoints. Apply on premises. ments. Apply on premises.

D'ULLDERS, "OR ANY OTHER MAN."—FULL LOT, when teide 4th av., near 54th st; good location for flat; no money required.

S. KILPATRICK, 300 3d av.

TP YOU WANT THE BEST, CHEAPEST AND MOST lelegant House up town look at 119 or 121 East 57th st; offers wanted. WA F. CROUT, owner and builder.

THREE OF THOSE VERY ATTRACTIVE HOUSES.

In the East of the st., Nos. 2, 8 and 10, near 5th av.; also the riggant full steed House (No. 31) on 57th st., near Madison av.; open all day.

BREEN 4 NASON

East Side.

ONE OR THREE FULL SIZED LOTS, SOUTH SIDE 121st st., adjoining Madison av.; fine view of Mount Morris aquate; ourbed and flagged; no rock; low-price. GEORGE BEANDON, led East Side St. FOR SALE, EXCHANGE OR TO LET-FURNISHED for unfurnished, an elegant four story brown stone floure. Apply on premises, 141 West 47th st., or SHAW, frand Union Hotel.

MOST ATTRACTIVE AND DESIRABLE STORE AND MPlat property on 6th av.; fine opportunity for present investment; don't wait. WAYLAND & MILLER, 1,325

21st st. NEAR 7TH AV.—THREE STORY BRICE \$10.000 .-WEST 20TH ST.: GOOD NEIGHBOR TAGUE, Real Estate Agent, 223 8th av.

Miscella neous.
WILL SELL AT SACRIFICE, ASSORTED MERCHANdisc: haif cash, haif real estate. Address BARGAIN,
Horald Philadelphia Branch office.

WESTCHESTER COUNTY PROPERTY
FOR SALE OR TO LET.
TO LET OR LEASE-A LARGE PURNISHED HOUSE
In Fortham, on the Harlem River, with 20 acres of
land. Apply to CAMMANN & CO., 8 Wall st., New York.

PROPERTY OUT OF THE CITY FOR SALE OR TO RENT.

FOR SALE AT A SACRIFICE—AT PLAINFIELD, IN J., elegant Mansion and acre of Ground, with fine tarriage house; forms to suit. Apply to JOHN BAIER, 8 Pine at, basement. HOTEL.-TO RENT-ONE OF THE MOST DESIRABLE Hin Philadelphia; modern conveniences; well established business both for perminent and transient custom; will be leased on favorable terms to a tenant capable of reeping a first class house. Address Post office box 2,815, Philadelphia, Pa. MILK, SHEEP AND BREEDING FARM (500 ACRES)—
Lease or shares to a farmer with capital.

J. G. BECK, 248 Canal.

ORANGE, N. J.-HOUSES AND COUNTRY SEATS

ORAGMAN, room 3.

Broadway, room 3. J. G. BECK, 248 Canal. STAMFORD, CONN.—FOR SALE OR RENT FUR. isned, a handsome Residence; few minutes' walk from ion; five acres, well stocked with shade and fruit trees; les, barn, greenhouse, &c. W. W., box 154 Herald

TO LET-AT RICHMOND HILL, L. I. SEVERAL I neat and commodious Houses, suitable for winter an summer, with gardens and all conveniences; near dept-twenty minutes by rail from ferry; commutation, \$45; ron-low. JASPER E. CORNING, 164 Broadway. REAL ESTATE TO EXCHANGE.

BUILDING LOT IN JERSEY CITY, WORTH \$2,000, For some good Business of same value.

VAN WINKLE, Herald office. FINE HOUSE, BARN, ONE ACRE; NEW; MOUNT Vernon denot and business Property 203, 205 Wooster W. E. CORNELL, 12 Bridge st. REAL ESTATE WANTED.

AN ENGLISH BASEMENT HOUSE, BETWEEN PARK and 6th avs., 25th and 50th sts. LALDR, 1,037 3d av.

TO BUY-MODERATE PRICED DWELLING, BETween 30th and 60th sts., Loxington and 6th avs. Address, stating price, F., box 121 Herald office. WANTED TO PURCHASE—TWO FOUR STORY brown stone Houses, adjoining each other, located between 34th and 45th sts. and Park and 6th avs. Address box 1,839 Post office, stating price and particulars.

TO LET FOR BUSINESS PURPOSES BENNETT BUILDING, corner Fulton and Nassau sts.
Several Offices in this building to let, at greatly reduced rents. The offices will be altered to suit tenants.
The building is heated by steam, and each office has wash-

r in it.
s running. No extras.

JOHN L. KNIGHT, NER HOUSTON AND CANNON STS.—HOTEL OR ble for other business; 15 rooms; \$40 month. LE SIX STORY BUILDING 58 AND 60 UNI-place; very light; rent low. HEBBARD & OFTS, FIRST CLASS STORE 56 LEONARD we of owner, F. ESCALANTY, 70 Pine st. ULEVARD HOTEL, BROADWAY, 59TH Park, partially furnished, to lease. Apply

(SHED OFFICE, \$10 PER MONTH. RRYTOWN-FINE PLATE GLASS Dwellings above for two families; ent; size 20x65; suitable for drug-&c., to let. WENDEL, 79 Maiden BUILDING. 17 TO 27 VANDE-

ity BRICK BUILDING, 75X Shafting and Otis Elevator, 2d st. Apply to A. C. BRCH-BLACKSMITHS, CARPEN-ROBERT I. BROWN, 20 NAME OUR LOTS; IMMEDI-

perty Pure SHED HOUSE HOUSE 115 TO LET-OLD RINNELL. HOUSE, 15 3 EAST PARTMENTS FURNISHED RO AN OWNER OFFE West 23d, adjacent to

MADI-strictly lress J. W., Herald Uptown o King, Two or Seption 8, 82 25. FURNISHED SU \$5.50; another, \$ three connecting Re and Bedroom, \$5; he 106 East 15th. TENTOUNS, LIGHT FURNISHED PA MS, TO-reman, 357 ING, THREE ball bedroom.

aS; GENTLEMEN ard; references, 315 CITABLE FOR A PARTY OF amily; separately or together. 126 SUIT OF ROC est 20th st. Secons for gentlemen. 17 West 20th st. References.

271 West 12th st.

117 EAST 28TH ST.-A LARGE HALL BEDROOM. 127 WEST HOUSTON ST.-FURNISHED ROOMS lerms to quiet people for housekeeping or otherwise; 262 RLEECKER ST., NEAR MORTON.—FURNISHED bonse; moderate rent.

UNFURNISHED ROOMS AND APARTMENTS TO LET.

BEAUTIFUL FRENCH FLAT AT 502 WEST 20TH
St.; six light rooms; all improvements. R. BEGGS,
tos store, corner 25th st. and 5th av. TO LET.—THREE HANDSOME FLOORS, FIVE ROOMS On each floor, at 32 Norfolk st., near Grand; rent low. Inquire 21 Rutgers place, near Clinton at.

TO LET.—SEGOND FLOOR OF 147 EAST 48TH ST., between Lexington and Third ava.; cottage; terms reasonable. Ploor, four rooms, in private house; ample gloset, hot and cold water, and use of bath to small family; runt, \$22, Apply 302 West 28th st.

\$24. SECOND PLOOR, FIVE ROOMS; WATER, MONTAGUE, Real Petate Agent, 223 8th av.

HOUSES, ROOMS, PLACES OF BUSI-NESS, &C., WANTED.

In This City and Brooklyn.

WANTED-BY A PARTY OF SIX AND FOUR SERvalia, a well furnished house for three or more months.

Address Mno. DON FAIN, 24 West 11th at. WANTED—IN DISTRICT BETWEEN DEY, DUANE, Greenwich sts. and Broadway, third or lourth floor, about 50x100 for light manufacturing business. Address, villa terms and particulars, HAZES 2 CO., 102 Fullon st.

HOUSES, ROOMS, PLACES OF

In this City and Brooklyn.

Wanted-An Unfulnished House May 1. By
a small private family, located between 34th and 57th
sts., near 5th av., or Madison av.; rent not to exceed
\$2,180. Address hox 3,036 Fest office. WANTED TO RENT-PLAT, HARLEM OR YORKle; in good neighborhood; rent not in s, with particulars, V. T., Herald office. WANTED-A STORE ON BROADWAY, BETWEEN Barelay and Duane sta., on or before May 1 Address EATON, box 1,856.

WANTED-A MEDIUM SIZED HOUSE ON OR NEAR Gramercy Park for private family: rent under \$1.500 per year. V. K. STEVENSON, Jr., 35 East 17th st.

BOARDERS WANTED. FURNISHED ROOMS ON SECOND PLOOR, WITH Board, in a Jewish family. 249 East 50th st. 2 NEATLY FURNISHED ROOMS—IN SMALL AMERI-can family; terms moderate; excellent table; refer-

5TH AV. 297 -A HANDSOME PARLOR FLOOR; PRI-Dvate table and home comforts; highest references. 10 WAVERLEY PLACE, NEAR BROADWAY.-FRONT transient, \$1 50; table Board, \$4; steam heat. 14TH ST. 257 WEST.—LARGE, HANDSOME ROOM from first or second floor; neatly fitted; substantial table; superior accommodations at popular prices.

15 NEILSON PLACE, CORNER OF STH ST.-BOARD, St. with single or double Room, \$4 to \$7; table Board, \$3. 230 ST., 163 WEST.-LARGE, ELEGANTLY FUR-20D ST., 128 WEST.—SECOND FLOOR LARGE FRONT

21 WEST WASHINGTON SQUARE—ELEGANT PRI-Room for two or more persons, with Board; very reason-200 ST., 44 WEST.—LARGE ROOMS ON PARLOR 34TH ST., WEST, 134, NEAR BROADWAY.-ELE-

36 CLINTON PLACE.-FURNISHED ROOMS, WITH

41 EAST 19TH ST.—SUIT OF ROOMS, SECOND gentlemen, with first class table. 42 WEST 26TH ST., NEAR BROADWAY.—HAND-ently located; terms reasonable. 53 EAST OTH ST., NEAR BROADWAY.—HAND-Josome second floor back Parlor, with excellent Board, for two; moderate charge.

63 5TH AV.—CHOICE ROOMS WITH FIRST CLASS 106 EAST 10TH ST.—SINGLE SUNNY ROOMS, heated. Table boarders. 131 WEST 21ST ST.—SECOND AND THIRD FLOOR.

206 WEST 44TH ST.-PLEASANT ROOMS TO LET, 217 WEST 13TH ST.-A PLEASANT LARGE ROOM \$10 week; hall Room, \$5. 304 WEST 32D ST.-GENTLEMAN CAN HAVE Board, fine Room, but air, gas, bath, \$5; gentleman and wife, \$85.50.

423 WEST 23D ST.-TWO GENTLEMEN CAN BE 1.000 ROOMS IN FIRST CLASS PRIVATE HOUSES: ectory, 1,151 Broadway. A PLEASANT FRONT ROOM TO LET, WITH OR without Board; private family. 320 West 30th st., near

BOARD AND LODGING WANTED BOARD WANTED-BY GENTLEMAN, IN NEAT Derivate family; location between 8th and 45th sts., cast; references. TRUTH, Herald office.

references. TRUTH, Herald office.

BOARD FOR GENTLEMAN AND WIFE; BELOW
55th at.; terms not to exceed \$12; references; state full
particulars. Address A. W. H., box 170 Herald office. PURNISHED ROOM WANTED—FOR SINGLE GEN-tieman, with Breakfast; below 23d st. preferred; state terms. A. C., 143 Herald Uptown office. HOTELS.

ATNEW ENGLAND HOTEL, 30 BOWERY, 200 ROOMS; Lodgings, 30c., 40c. 50c.; weekly, \$2 to \$3. CARLETON HOUSE, WILLIAM CORNER OF Frankfort st. Single rooms 35 cents, 50 cents; double rooms (first floor) \$1 daily. rooms (first floor) \$1 daily.

OT. GERMAIN, 5TH AV., 22D, BROADWAY.—

DFinest located furnished Rooms in city; European or

American plan; prices to suit times.

POST OFFICE NOTICE.

POST OFFICE NOTICE.

The foreign mails for the week ending Saturday, February 1, 1879, will close at this office on Tuesday at 7 A. M., for Europe, by steamship Montana, via Queenstown; on Wednesday, at 7 A. M., for Europe, by steamship Parthia, via Queenstown; on Thursday, at 8 A. M., for Europe, by steamship City of Montreal, via Queenstown (correspondence for Germany and France to be forwarded by this steamer must be specially addressed), and at 12 M. for Europe, by steamship tellert, via Plymouth, Cherbourg and Hamburg; on Saturday, at 9 A. M., for Europe, by steamship be specially addressed, and at 11 M. for Europe, by steamship, and at 0 A. M. for Scotland direct, by steamship Ethiopia, via Glasgow, and at 11 M. for Europe, by steamship Weser, via Southampton and Bremen. The steamships Montana, Parthia, City of Montreal and Britannic do not take mails for Denmark, Sweden and Norway. The mails for Nussau, N. P., leave Vork January 27. The mails for Nussau, N. P., leave York January 29 and becaute January 39. The mails for Aspinied and trinial direct leave New York Schuley, I. The mails for Aspinied and trinial direct leave New York February I. The mails for Australia, &c., leave San Francisco February 17. The mails for China and Janual teave San Francisco February 18. The mails for Poyser, New York Youk, January 29. On Price, New Youk, January, 25, 1879.

Post Office, New Youk, January, 25, 1879.

Post Office, New Youk, January, 25, 1879.

at Gilmore's Garden Full and graphic report in MONORROW'S SUNDAY MERCURY.

Also the BACHELORS and MANHATTAN TURTLE CLUB Balls.

NEW JERSEY RAILROADS. The officers of the New Jersey Central Railroad Company have had in contemplation for some time the lease of the New Jersey Southern Railroad Company, but the necessary legal papers, contracts, transfers, &c., have not as yet been signed, as was reported. Nogotiations have been going on with outside boncholders, and if everything is satisfactory the sale of the Southern Railroad, which has been advertised to come off in the middle of this month, by order of the Chancellor of New Jersey, will not take place. By this combination the Central Railroad would obtain a monopoly of the Long Branch business.

NEW YORK CATTLE MARKETS.

commission I buil, live weight 1.0.55 lbs, at 324c. per lb., 35 dry cows. live weight 10.05 lbs, at 324c. per lb., 35 dry cows. live weight 10.05 lbs, at 324c. per lb., 35 dry cows. live weight 10.05 lbs, per head, at 52 dry cows. H. Livingston. head 58 dry lbs. weight 6.55 dry. H. Livingston. head 10.05 dry. low weight 1.705 lbs. per head, at 45c. per lb., 10.05 dry. lowen at 75c. per lb., weight 9c wt., scant. with 50c. on per head; 25 Kentucky steers at 15c. per lb., with 50c. on per head; 26 Kentucky steers at 10c. per lb., weight 9 cwt. D. Waixel sold for 8. Waixel 272 Hilmois steers—29 head at 85c. per lb., with 50c. on per head; 17 head at 85c. per lb., with 50c. on per head; 17 head at 85c. per lb., with 50c. on per head; 17 head at 85c. per lb., with 50c. on per head; 18 head; 34 head at 85c. per lb., with 50c. on per head; 45 head; 34 head at 85c. per lb., with 50c. on per head; 45 head at 194c. per lb., with 50c. on per head; 25 head at 194c. per lb., with 50c. on per head; 26 head at 194c. per lb., with 50c. on per head; 27 head at 194c. per lb., with 50c. on per head; 28 head at 194c. per lb., with 50c. on per head; 29 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 17 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., with 50c. on per head; 20 head at 194c. per lb., weights 7 cwt a 73; cwt. a 74; cwt. a 75; cwt. a

THE COURTS.

Important Decision in a Heavy Railroad Suit.

BOND STREET FIRE INSURANCES

Setting Aside William Winter's Trust Deed of His Father's Estate.

A lengthy opinion was yesterday ren Judge Speir, of the Superior Court, in the suit of Russell Sage and N. A. Cowdry, trustees, against the Union Trust Company and the Missouri, Kansas and Texas Railway Company, recently tried before him in the Special Term. The action is brought for an account of the administration of a trust fund estab-lished for the payment of a debt, originally \$4,250,000, of which there is claimed to be due about \$2,500,000. The plaintiffs claim that the trust fund was established and secured by a mortgage executed branch) to the plaintiffs to secure this sum. Afterward the name of the Union Pacific Railway Company (southern branch) was changed to that of the Missouri, Kansas and Texas Railway Company. The souri, Kansas and Texas Rahway company, mortgage covered the railroad proper and also quantity of adjacent lands which had en granted by act of Congress to the railroad company. After the change of name the railway company extended its railroad and acquired a large amount of property beyond the limits of the original Union Pacific (southern branch) road. In this extension it absorbed and became consolidated with several other railroad companies, and assumed the mortgaged indebtedness then existing against each of them and thereupon issued a consolidated mortgage. Subsequently, on the 1st of September, 1873, the rail-Subsequently, on the lat of September, 1873, the railway company issued another mortgage. In December, 1874, suits of foreclosure in the United States courts in Kansas, Missouri and Texas were commenced on the second mortgage by individual bondholders, thereunder making the trustee thereof a party defendant. Subsequently bills of foreclosure on the consolidated mortgage were filed by the trustee in the same United States courts. In March, 1876, a settlement of the litigation was agreed upon, and on the 7th of April, 1876, an order was made by the United States courts directing the receiver who had been appointed by those quarts in the suits on the second mortgage to transfer the possession of the mortgaged property to the Union Trust Company, and the second mortgage suits were discontinued. On the 18th of July, 1876, possession was transferred to the trust company in pursuance of the order, and since then the trust company has been in the possession and administration of the property and railway company in trust for the several bondholders interested.

Judge Speir, in his opinion, holds that it is quite apparent that it was the intention of the parties to the mortgage to the plaintiffs and bondholders that the wild lands referred to should be sold as rapidly as possible and the proceeds of the sales applied, first, to the payment of the Union Pacific mortgage bond holders, and scound; to the payment of the consolidated mortgage bond holders, and if anything be left it should revert to the railroad company. The complaint alleges that the railroad company and the receiver, while in possession, have sold some of the lands and received large sums of money therefor without the plaintiffs now demand from the trust company an account of the proceeds of such lands. The Judge says plaintiffs mortgage lien upon the lands is not in any was discreded, nor is there anything which prevents the defendants from selling their interest in the lands and from receiving the proceeds of such lands—that the plaintiffs are not entitle way company issued another mortgage. In December, 1874, suits of foreclosure in the United States

THE GREAT BOND STREET FIRE, In the suit of Robbins & Appleton against the Fireman's Fund Insurance Company of San Francisco to recover the contributive share of their loss on the goods of the American Watch Company destroyed by the great Bond street fire in 1877, and destroyed by the great Bond street fire in 1877, and which has been on trial for several days before Judge Shift-san and a jury, in the United States Circuit Court, the jury vesterday afternoon, after a very brief absence, returned a verdet in favor of the planning for \$4.506 l8, being the rull amount claimed. This case has been strenuously fought, the Court having permitted the defendants to introduce all their evidence to ascertain whether the Americal Watch Company had satisfied the insurance effected on their goods by Robbins & Appleton. This is the third verdet obtained by the plaintiffs in their suits brought against the four insurance companies who refused to pay their loss on the ground that their policies were not contributory.

WINTER MADE GLORIOUS SUMMER. The suit brought by William Winter to set aside a trust deed made by himself to Daniel Birdsall, tried before Judge Potter, the facts of which have been published, reached yesterday a conclusion, a verdict being directed to be given on special issues. These being directed to be given on special issues. These issues were embodied in four questions of fact determined by the Special Term as necessary to be tried by a jury—first, whether the deed was obtained by fraud; second, if it was obtained through undue influence; third, whether it was obtained by duress, and fourth, whether Winter ratified the deed. The jury's answer to the first question was "Yes;" to the second, "Yes;" to the third, "Yes," and to the fourth, "No." Ex-Judge Porter, who, with Mr. Ira Shafer, appeared for Mr. Winter, thanked the Court and the jury for the verdict. As for Mr. Winter, whom, as will be rembered, efforts have been made to prove a lunatic, he showed a keen perception of its purport as affecting himself. Mr. Livingston, who conducted the defence, very naturally was not over pleased. The property in question affected by the trust deed is valued at some \$200,000, and comprises the estate left by Gabriel Winter, at one time a prominent lawyer in this city and the father of William Winter, the plaintiff.

SUMMARY OF LAW CASES. A discharge in bankruptcy was granted to A. Stone

States District Court. James R. Cosgrove, United States Special Deputy Marshal, who was arrested on Thursday last, charged with passing in and being paid for certain accounts for services not actually rendered as such marshal, was yesterday admitted to bail, his surety being James Biglin.

The Superior Court, General Term, announced at its adjournment yesterday that it will meet again next Friday to render decisions in cases argued before it the past term. No turther cases will be argued before the Court until the first Monday of March.

United States Deputy Marshal Robert E. Ellis and eight other deputies, for whose arrests warrants were issued in connection with the republican contest in the Eighteenth Assembly district, voluntarily appeared before United States Commissioner Lyman yesterday, and are held on their own recognizance to appear for examination on the 14th inst.

Special Agent Brooks, of the Revenue Department, yesterday made three seizures of illicit cigar factories. The first was at No. 404 East Fourth street. The stock was seized, but no arrests were made. The second was made at No. 25 Pell street, and the third in First street, near First avenue. A man, who gave his name as John Doe, was arrested at the first named place and one M. Berger in the second. Both were held for examination.

There was quite an extended argument yesterday before Judge Sedgwick in the suit of Sherman vs. Kann and the city, brought for ejectment from six lots between Seventy-eighth and Seventy-ninth streets, west of Third avenue. The question is whether the old city maps, under which the city conveyed the property, coincide with the present boundary lines of these lots, and whether occupancy for so many years has affected the title. The Court took the papers, reserving decision.

rant issued by United States Commissioner Lyman, was discharged yesterday for want of evidence. The warrant was issued upon a certified copy of an affidavit before Commissioner Whitehead, of Jersey City, charging him with receiving and dealing in amuggled goods. It was expected yesterday that a certified copy of the indictment charging him with the acts named in the affidavit would be received in this city, and the examination was pro onged as far as possible, but, for want of this, Commissioner Lyman was necessarily obliged to order the discharge of the accused.

Roswell H. Rochester, appointed some time since receiver of the New York Street Cleaning Association, applied to Judge Barrett for permission to bring suit against Solomon Mehrebech for an accounting as to the alleged profits growing out of the sale of two plots of ground, between Ninety-fifth and Ninety-eighth streets and 101st and 102d streets, from Second avenue to the exterior buikhead line on the East River. The suit grows out of the late Juhn L. Brown's connection with the Street Cleaning Association, the facts of which have been published.

The Congress Hall Hotel cause was on the day calendar of the Supreme Court, General Term, yesterday, and would have been the next case reached for argument when the court adjourned. As if involves the interests of some dozen parties who brought suits in different courts, and which were consolidated in the action in the Supreme Court and important questions affecting the Mechanics' Lien law, the issues are not only interesting to the parties, but to owners, builders and sub-contractors generally. This will be the first case on the March calendar. Mr. George W. Wilson appears as counsed for the appellants, and Messrs. James H. Whitlegge, Charles W. Seymour and Messrs. Sames H. Whitlegge, Charles W. Seymour and Messrs. Great Health of the Charles of the patent

COURT OF APPEALS.

ALBANY, N. Y., Jan. 31, 1879. In the Court of Appeals, Friday, January 31, 1879, resent, Hon. Sanford E. Church, Chief Justice, and

associates.

No. 13. George B. Chase, respondent, vs. Thomas Lord and others, executors, &c., appellants.—Argued by D. D. Lord for appellants; William C. Whitney for respondent.

No. 21. Willis S. Paine, receiver, &c., appellant, vs. J. Wyman Jones, impleaded, respondent.—Argued by Erastus S. Ransom for appellant; Dwight A. Jones for respondent.

No. 24. Martha Divine Rodergas, respondent, vs. the East River Savings Institution, appellant.—Argued by S. P. Nash for appellant; Samuel Jones for respondent.

CALENDAR FOR MONDAY.

respondent.

CALENDAR FOR MONDAY.

The following is the day calendar of the Court of Appeals for Monday, February 3, 1879:—Nos. 37, 73, 74, 39, 43, 77 and 78.

CITY PAYROLLS.

The payrolls of the different departments of the city government were sent to Mayor Cooper for his signature on the 29th ult., but he refused to sign them, and yesterday returned a number to the Comptroller. The Mayor sent word to Mr. Kelly that he could not sign warrants sworn to as correct three days before the work for which the amounts were asked was completed.

Comptroller Kelly, in reply, said that it had al-

Comptroller Kelly, in reply, said that it had always been the custom to have the warrants and payrolls signed before the 31st of the month, in order that the employes could pay their rents and other claims against them on or before the first. This answer of the Comptroller did not satisfy the Mayor, who continued in his refusal to sign the payrolls. The payrolls of the following departments were the ones of which Mayor Cooper disapproved:—Board of Excise, Corporation Counsel's office, Board of Aldermen, Corporation Attorney, Court of Common Pleas, Department of Taxes and Assessments, Court of General Sossions, Marine Court, Supreme Court, Superior Court, Court of Special Sessions, Department of Public Works, Chamberlain's office, Deputy Coronors'

Court, Court of Special Sessions, Department of Pub-lic Works, Chamberlain's office, Deputy Coroners' and the Police and Civil District courts.

REAL ESTATE.

But one parcel was sold on the Real Estate Exchange yesterday. By order of William F. Scott, referee, R. V. Harnett sold in forcelosure sale the five story brick building, with lot, 24.7x75, No. 730 First avenue, east side, 74.2 feet north of Forty-first street, to plaintiff for \$7,958 50.

OFFICIAL REAL ESTATE TRANSFERS. The following statement shows the real estate transactions recorded in the Register's office Jannary 31:-

rederick st., w. s. (lots Nos. 328 and 346), 87.6x50 (24th ward); Michael J. Hallahan and wife to Delia Noxon Prederick w., w. s. (lots Nos. 328 and 346), 87.6x50 (244h ward); Niehaed J. Halluhan and wife to Delia Noxon.

Softh st., s. s. 145 ft. e. of Loxington w., 20x100.5; Julia Bissinsky to Louisa Koppel.

3d av., e. s., 50.8% ft. e. of 150x st., 25x75; also 3d av., e. s., 150.8% ft. n. of 93d st., 25x75; also 3d av., e. s., 150.8% ft. n. of 93d st., 25x75; also 3d av., e. s., 150.8% ft. n. of 93d st., 25x75; also 3d av., e. s., 150.8% ft. n. of 93d st., 25x75; also 3d av., e. s., 75.8% ft. n. of 93d st., 25x75; also 3d av., e. s., 75.8% ft. n. of 93d st., 25x75; also 3d av., e. s., 75.8% ft. n. of 93d st., 25x75; also 3d av., e. s. or evener of 93d st., 25x85; also 3d av., a. e. corner of 93d st., 25x85; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x75; also 3d av., a. e. corner of 94th st., 25x85x bandling all st., all st Nom. 9,000 12,745 Nom. 8,000

Balcom av., c. s., 129 ft. n. of Westchcoter road, 25x 7o (236 ward); Evs Theiss and husband to Ottilla Vogel.

98th st., s. s., 100 ft. e. of 11th av., 50x103,11; Archibald G. Leomis and wife to George Thompson...

20th st., n. s., 100 ft. e. of 7th av., 4xx89; John Keys and wife to Shiloh Presbyterian Church...

20th st., n. s., 100 ft. e. of 7th av., 4xx89; John Keys and wife to Shiloh Presbyterian Church...

20th st., n. s., 105 ft. e. of 10th av., 4xx889; John Ruebsam...

3d av., 50.4 ft. n. of 54th st., 25x75; Bernhard Stern and wife to Henry Esser.

5th av., e. s., 25.5 ft. n. of 65th st., 50x100; J. H. Giover (referee to George Bliss...

Front st. (No. 152), 19.3x63; George V. N. Baidwin (referee) to Henry Messinger...

116th st., n. s., 103 ft. w. of av. A., 10x100, 10; also 117th st., s. s., 122.1 ft. w. of 20x100, 10; also 116th st., n. s., 245.6 ft. w. of 3d av., 18.9x 100, 11; Mary J. Fhillips to Hornietta L. Phillips. J. Houston st., s. w. corner of Forsyth st., 66x75; also 110th st., n. s., 125 ft. w. of 10th av., 191, 10to 111x 75; also 2d av., n. e. corner of 104th st., 250x 100, 11; lasae L. Mediay and wife to Mary Medgy...

Esser, Henry, to Bernhardt stern, e. s. of 3d av., n. of 54th st.; 5 years.

Pinck, Froderick and wife, to Anaic M. Donnell, n. a. of 80th st., w. of 1st av.; 5 years.

Same to Grandle T. Termbull, n. s. of 80th st., w. of 1st av.; 5 years.

Same to Grandle T. Termbull, n. s. of 80th st., w. of 1st av.; 5 years. 1.750 25,000 21,260 42,500 14,000

Glies, Jalius and wife, to Annie M. Donneil, n. s. of Suth st., w. of 1st av.; 5 years.

Same to Cornelia P. Turnbull, n. s. of Suth st., w. of 1st av.; 5 years.

Same to Cornelia P. Turnbull, n. s. of Suth st., w. of 1st av.; 5 years.

Joseph Hoefele, Caroline and involved, to Cari Fuhrmann, e. s. of 1st av., s of 4th st.; 2 years.

Lichtenauer, Myer and wife, to Joseph M. Lichtenauer, Myer and wife, to Joseph M. Lichtenauer and another (ozecutors, &c.), n. s. of 1.500

Lichtenauer and another (ozecutors, &c.), n. s. of 1.500

Lichtenauer and another (ozecutors, &c.), ns. of 1.500

Lichtenauer and another (ozecutors, &c.), ns. of 1.500

Lichtenauer and another (ozecutors, &c.), ns. of 1.500

Define, John, to Hormann Beine, No. 140 Sullivan st. 3 years.

O'Brien, John, to Hormann Beine, No. 140 Sullivan and others (executors, &c.), ns. of 3 western with st.; 5 years.

O'Brien, John, to John C. Foy and others (executors, &c.), ns. of 520 st., w. of 11th av.; 5 years.

O'Brien, John, to John C. Foy and others (executors, &c.), ns. of 520 st., w. of 11th av.; 5 years.

Shiloh Presbyterian Church, New York, to John Keys, ns. of 520 st., w. of 11th av.; 5 years.

Shiloh Presbyterian Church, New York, to John Keys, ns. of 520 st., w. of 11th st., 5 years.

Shiloh Presbyterian Church, New York, to John Keys, ns. of 520 st., w. of 11th st., 5 years.

Ballecheim, Joseph, to Henry Behrmann.

Badd, R. W., and another (executors, &c.), to Eliza bath A Badd.

Esser, Henry, to B. Stern.

McKnight Leover (guardian, &c.), to Charles McKnight Leover (guardian, &c.), to Charles Same to same. 7,000

HOW TO FIGHT FLAMES.

A Ponderous Scheme for the Protection of Property.

FIRE ENGINES DISPLACED

The Water to Come from a Tank 350 Feet Above the Ground.

this city have drawn the attention of the Board of Underwriters more closely to the question of the extinction of conflagrations by some more efficient means than that at present in use. It is well known to insurance men and fire officials generally that the small pipes laid along the streets that skirt the city and in some of the principal avenues are utterly inadequate to supply water as fast as the engines can draw it out in the event of a large conflagration, where many engines are pumping at contiguous hydrants. This want has been often felt and various propositions have been made to relieve it. The Holly system, which was much talked of a few years ago, proposed having large stations along the river fronts, whence water could be pumped through pipes laid especially for the purpose to hydrants near the scene of the small pipes laid along the streets that skirt the city for the purpose to hydrants near the scene of the conflagration. The number of stations necessary for posed the shutting off from certain sections of the ity where a fire should break out of the Croton city where a are should break out of the Croton water and then opening these pipes at the river front and pumping into them the salt water to be used in extinguishing the fire. This plan would do away with the waste of Croton at large fires, but the people of the city would not tolerate it because it would spoil their drinking water for some time after a large

spoil their drinking water for some time after a large conflagration had broken out. But the cost of the present system in the inability to cope successfully with large conflagrations, the consequent loss of many millions of dollars and the waste of water, rendered a new plan necessary. At last a scheme has been projected which, it is thought, will obviate the defects of the present system for exwill obviate the defects of the present system for ex-tinguishing fires. Its originator, a hydraulic engi-neer of this city, has given the subject many years of-study, and has at last perfected a system which he claims is infinitely better than the present one. It has received the approval of many gentlemen con-nected with the Board of Fire Underwriters, and the specifications of the plan are accompanied by a cer-tificate from the civil engineer, Mr. William J. Mc-Alpine, builder of the Chicago water works, who says that the scheme is "the best that can be devised." THE PLAN.

gigantic scale that one not acquainted with engineer-ing would condemn them as impossible at first sight; but every item has been carefully figured out by an expert mathematician and the work declared to be easy of accomplishment, provided the necessary means are furnished. The first requisite of the project is a tower situated in the centre of the built-up portion of the city, between Fifty-ninth street and the Battery—in Union square, if possible. Its dimen-sions must be 100 feet in interior diameter and 350 feet high—more than twice the height of the West-ern Union building—an altitude exceeded by very few buildings in the world. The top of this tower is to ern Union building—an altitude exceeded by very few buildings in the world. The top of this tower is to contain a reservoir for the supply of water 100 feet in diameter and about 30 feet in height, capable of holding 2,000,000 gallons. Croton will not be used, but salt water will be pumped into the tank by large pipes running along Fourteenth street from the East and North rivers. Two stationary engines and pumps—one of 750 and the other of 250 horse power—would be sufficient to keep the reservoir constantly full. The reservoir is to be connected with a system of pipes running all over the city and terminating in hydrants, to wisteh hose will be sumplied. The plan contemplates 4,000 such hydrants on the line of pipes always ready for instant use. They are to be so placed that no fire can occur at a distance of more than 490 feet from the hydrant. Twenty-eight of them can be brought to bear on any fire that may occur from the Battery to Fifty-ninth street, with hose from 100 to 500 feet in length, each hydrant having 4 openings, thus giving 112 streams. These may be increased to 68 hydrants, or 272 streams, with hose not exceed 1,000 feet in length, or to 128 hydrants and 512 streams, with hose not exceeding 2,000 feet, and all amply supplied with water.

The motive force of the jet of water from the ends of the hose will be simply the tremendous impetus given to the water by its vertical fall of over three hundred feet in the reservoir tower. The following table shows the height to which such jets would be carried at the points indicated, less about twenty feet allowance for friction in passing through the hose:—

HEIGHT OF THE JETS.

Feet.

24, 16 and 10 inches in diameter. Every part of the plan has been prepared in duplicate, so that the failure of any one part will not prevent the working of the whole system.

If a fire breaks out at a street corner there will be instantly available supplies of water as follows:—From 4 hydrants, 16 streams of water of 3 inches diameter, with 60 feet length of hose; from 8 more hydrants, 32 streams, making 48 streams, with from 60 to 330 feet length of hose; from 16 more hydrants, 64 streams, making 144 streams, with from 60 to 600 feet length of hose; from 16 more hydrants, 64 streams, making 144 streams, with from 60 to 900 feet length of hose; from 24 more hydrants, 96 streams, making 240 streams, with from 60 to 1,170 feet length of hose; from 24 more hydrants, 96 streams, making 336 streams, with from 60 to 1,170 feet length of hose; from 24 more hydrants, 96 streams, making 38 streams, with from 60 to 1,440 feet length of hose; and so on, increasing the number of streams by 96 for every increased length of 270 feet of hose.

To further illustrate the loss of head the most extreme case may be assumed—viz, when the extinguishment of a fire requires a quantity of water twice as great as that which all of the steam fire engines of the city, if abundantly supplied, could throw, and that such a fire occurs at the very extremity of the city, most remote from the reservoir or the pumping ongines, as, for instance, at the Whitehall wharf, at the south end of the city. Such an enormous demand would only reduce the head of water in the pipes at that place to 270 feet above the level of the street when eighty streams of water, in solid columns of three inches in diameter, were being constantly thrown into the fire with force sufficient to throw it 180 feet vertically into the air. The capacity of the reservoir is so large that it.will continue for three hours to supply twice as much water as all the steam fire engines of the city could use, so that the combined effective force of the reservoir and of the proposed engi

ings, inside of which there will be a pipe of from four to six inches in diameter reaching above the tops of the buildings, and with hose attached at different points. The lattice work columns can be used as a ladder, always in position, so that if a fire occurs in the upper stories of these high buildings the water can be brought to bear directly upon it.

Disadvantages removed.

Under the old system all of the arrangements of the street pipes, it is claimed, have been primarily made with reference to the supply of water for domestic consumption, while that required for the extinguishment of fires has been inadequately provided for, and particularly at the various extremities of the system of the distributing pipes. Nowhere is the city, below Twenty-third street, can the present Croton pipes deliver enough water into the boxes of thirty of the steam fire engines to fully supply that number of engines, and along the river borders not enough to supply half that number of engines. The change in the style of buildings within the present generation has rendered quite inadequate the system now in voque of extinguishing fires. If any large fire occurs in a building, accompanied by a strong wind, no skill of the modern arenitect is sufficient to render such a building proof against the fiames from adjacent houses. The annual losses by fires represent only about two-thirds of the value of the property destroyed.

Assuming that a large fire should break out in the most unfavorable place the following would be the number of hydrants (the fire is ranging in Forty-first street, between Sixth and Seventh avenues):—

Hose Required.

Hydrants. Location.

4. 6th av., cor. 41st st.

4. 7th av., cor. 41st st.

8. 6th av., cor. 40th and 42d st.

8. 7th av., cor. 40th and 42d st.

2. 6th av., cor. 39th and 43d st.

2. 7th av., cor. 39th and 43d st.

4. 5th av., cor. 41st st.

4. 5th av., cor. 41st st.

4. 5th av., cor. 41st st.

5. 5th av., cor. 40th and 42d st.

8. 5th av., cor. 40th and 42d st.

8. 5th av., cor. 40th and 42d st.

16. 5th and 8th avs., cor. 39th and 43th sts.

16. 5th and 8th avs., cor. 37th and 45th sts.

16. 5th and 8th avs., cor. 37th and 45th sts.

16. 5th and 8th avs., cor. 35th and 45th sts.

16. 5th and 8th avs., cor. 35th and 45th sts.

16. 5th and 8th avs., cor. 35th and 45th sts.

16. 5th and 8th avs., cor. 35th and 45th sts.

16. 5th and 8th avs., cor. 35th and 45th sts.

4 From eight-inch pipe. † From twenty-inch pipe.

16...5th and 8th avs., cor. 34th and 48th sts... 3,298

*From eight-inch pipe. † From twenty-inch pipe. ‡ From sixteen-inch pipe.

Total, 128 hydrants at an average of 1,652½ feet hose, without loss of head; and seventy-six more hydrants may be opened in Sixth and Seventh avenues, from Thirty-tourth to Thirty-minth street and Forty-third and Forty-seventh streets, with from 598 to 2,034 feet length of hose, with more loss of head.

In a long letter reciting the details of the plan, Mr. McAlpine concludes with the following recommendation:

After a careful consideration of the whole subject, I am of the opinion that the use of the waters of the adjacent rivers is necessary to extinguish such eros as the city of New York is liable to ex-orionee; that the plans herointe-fore described are the best that can be devised, and that the objects which they are designed to accomplish will simthe expenditure contemplated.
WILLIAM J. McALPINE, Civil Engine

HOME AGAIN.

ANBREA BRESSANT, THE CONFIDENCE OPERATOR ARBESTED IN ELDRIDGE STREET AND TAKEN TO BOSTON-SOME OF HIS EXPLOITS.

Andrea Bressant, notorious as a confide ator and a thoroughly desperate man, is again in duress. He was originally a circus clown, but came, by forming evil associations, to engage in machina-tions for securing plunder. In 1876 he appeared in Boston, where he secured the confidence of a French shoemaker by his false representations, and, after engaging with him in business, swindled him several hundred dollars. Detectives were sent after him, but a similar crime in New York caused his arrest and committal to Sing Sing before he could be apprehended for the other offence. When his term expired he was sent to Bos-ton in the custody of Detective Dilks to answer for his errors there. On the way Bressant watched his opportunity, and when near Saybrook, Conn., he jumped from the car window while the train was moving at the rate of thirty miles an hour and made off.

Detectives Dilks and Handy have been watching for his appearance in this city for some time past, and yesterday they succeeded in locating him in Eldridge street. They found him in lodgings there and put him under arrest. At the Central Office he signified his intention of going to Boston, and Detective Dilks has started thither with him for the second time.

Bressant's career since he gave over his antics on the sawdust of the arena has been a checkered one. Sometimes in the West, sometimes on the Atlantic scaboard, he has always carried on his operations, and generally with success. Several of the schemes by which foreigners coming into New York have been swindled were supposed to have been concected by Bressant, but so cleverly did he work that no one was able to connect him with them. His association with these offences is made more probable from his having been years ago concerned in defrauding Italian emigrants when they first turned their faces to this city in large numbers. Prior to that, it is said, he kept a low den in Bleecker street, where other and bolder criminal exploits were plotted, and even as far as Italy itself his career is traced back, one story representing him to have cleared out of his native town on account of offences committed there. In all his troublet Bressant has received his best assistance from his wife—a woman of determination, who has given his captors annoyance more than once. After his escape at Saybrook, and while the search was being carried on for him in that locality, Mrs. Bressant took a fast train for Boston and was in that city with a writ of habeas corpus when Detective Dilks reached there, minus his prisoner. She had also instituted proceedings to call the detective to account for making the arrest.

A MASSACHUSETTS HORROR. [From the Springfield Republican, Jan. 31.]

The trial of Mrs. Louisa Avery, aged about sixty-eight, for brutally misusing another woman named Betsey Wright, aged eighty, so that she died on Sunday night, occupied nearly the whole of yesterday before the Westfield Police Court and Judge Fuller. As stated yesterday all the parties lived in Mont-gomery, and Mrs. Wright, who was very decrepit, was being boarded by the selectmen at the house of Mrs. Avery for \$1 75 a gomery, and Mrs. Wright, who was very decrepit, was being boarded by the selectmen at the house of Mrs. Avery for \$1 75 a week. The morning session was taken up with the examination of two female witnesses, who testified to the fact that when preparing "Aunt Betsey's" body for burial bruises were found upon her feet, legs, body, neck and face. One of the witnesses was evidently very reluctant in giving her testimony, but the other, who was daughter-in-haw of Mrs. Wright, told her story in so straightforward a manner that there was no doubt of its truth in the minds of the large number of people present. The first witness in the afternoon was a young man named Chapman, who was at Mrs. Avery's house last Friday and heard a weak voice in Mrs. Wright's bedroom ery, "Oh, don't." A few moments afterward Mrs. Avery called him into the room to help put the deceased into bed. He did so, and noticed on the sheets in the middle of the bed spots of blood and a stick on the floor also bloody. The most damning evidence of all, however, was given by Ida Avery, aged about nineteen, and granddaughter of the prisoner. She was visiting at her grandmother's from Tuesday of last week until this week Monday. She said she saw her relative whip "Aunt Betsey" with a horse-whip several times. The latter was unable to walk, but having St. Vitus' dance would in her agony roll out of bed, and had to be lifted back into it. Every time she fell out Mrs. Avery would whip her severely, while lying on the floor, sith both ends of the whip. Aunt Betsey would fall out several times a night, and was every time whipped. On Wednesday night she was whipped agant times in the girl's presence for rolling out upon the floor. Somotimes Mrs. Wright's feet would project from under the bed clothing, and then Mrs. Avery would lash them with the whip. The girl said. "Aunt Betsey was whipped soveral times overy night I was at grandmother with the might she died; I asked grandmother not to whip her so, but she didn't stor; I helped piek up deceased from the flo

DEATH OF A PIONEERESS.

Mrs. Elizabeth Wright, a native of Langham, Dum-friesshire, Scotland, died last evening, aged sixty-five years, at the residence of her son-in-aw, Charles Engelke, on Church street. Mrs. Wright came to this city in 1851, and taught in the public schools, and afterward taught in Medwood City. Latterly she has been teaching in San Joaquin county. Her death was caused by a cancer in the breast, for which she underwent an operation a short time ago, and seemed to be recovering, but a reaction set in, and her aga was too great for her to overcome it.